

Defendants note that Judge Dever applied the reasoning from Suarez, in Milroy. (Document No. 23, p. 2). Defendants also state that “[o]nce the Fourth Circuit [] issues its opinion in either *Suarez* or *Milroy*, the parties for the first time, will have the ability to analyze this matter in light of binding precedent.” (Document No. 23, p. 6).

This motion has now been fully briefed. See (Document Nos. 23, 25, and 26). In addition, Plaintiff filed a “Notice Of Appellate Decision” (Document No. 28) on June 29, 2020. Plaintiff’s “Notice...” reports that the Fourth Circuit has issued a decision in Suarez, but not Milroy. The undersigned notes that the Fourth Circuit held that:

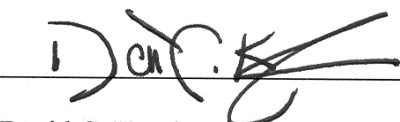
We agree with Suarez that the 2018 amendment should not be applied retroactively. We also agree that the pre-amendment version of the statute did not authorize the filing fee or service fee charged by Camden. However, we disagree with Suarez regarding the attorney’s fees and conclude that the pre-amendment version of the statute authorized the attorney’s fees. For these reasons, we affirm in part and reverse in part the judgment of the district court.

Suarez v. Camden Prop. Tr., 2020 WL 3397849, at *1 (4th Cir. June 19, 2020)

Based on the foregoing, including Defendants’ acknowledgement of the significant similarities between Suarez and Milroy, the undersigned finds that this Court, in its discretion, should deny the motion to stay. This matter has been effectively stayed for several months, and the parties should now proceed with an Initial Attorney’s Conference and the filing of Certificate of Initial Attorney’s Conference.

IT IS, THEREFORE, ORDERED that “Defendants’ Motion To Stay” (Document No. 22) is **DENIED**.

Signed: July 21, 2020



David C. Keesler
United States Magistrate Judge

